OCT 2 6 2007

PTO/SB/31(02-01)

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# **∜OTICE OF APPEAL** FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

n Re Application of Hawley K, Rising III. Attorney Docket No.: 80398.P515						
Application Number <u>10/090,557</u>						
Filed March 1, 2002						
For Occurrence Description Schemes for Multimedia Content						
Group Art Unit: 2623 Examiner: Hossain, F.						
Address to:						
COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450						
Applicant hereby appeals to the Board of Patent Appeals and Interfere	ences from the last decision of the examiner.					
The fee for this Notice of Appeal is (37 CFR 1.17(b))	\$ <u>510.00</u> .					
[ ] Applicant claims small entity status. See 37 CFR 1.27. There shown above is reduced by half, and the resulting fee is:	efore, the fee					
[X] A check in the amount of the fee is enclosed.						
[ ] Payment by credit card. Form PTO-2038 is attached.						
[ ] The Commissioner has already been authorized to charge for Account. I have enclosed a duplicate copy of this sheet.	ees in this application to a Deposit					
[ ] The Commissioner is hereby authorized to charge any fees to Deposit Account No. <u>02-2666</u> . I have enclosed a dupl						
[ ] A petition for an extension of time under 37 CFR 1.136(a) (P	TO/SB/22) is enclosed.					
Warning: Information on this form may become public. not be included on this form. Provide credit card inform	Credit card information should ation and authorization on PTO-2038.					
I am the						
[ ] applicant/inventor.	Signature					
[ ] assignee of record of the entire interest See 37 CFR 3.71, Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)						
[ X ] attorney or agent of record.	Sheryl Sue Holloway					
	Typed or printed name					
<ul> <li>attorney or agent acting under 37 CFR 1.34(a).</li> <li>Registration number if acting under 37 CFR 1.34(a)</li> </ul>	37,850 . October 24, 2007 . Date					
NOTE: Signatures of all the inventors or assignees of record of the en Submit multiple forms if more than one signature is required, see below	tire interest of their representative(s) are required.  y*.					
[ X ] *Total of 1 forms are submitted						
I hereby certify that this correspondence is being deposited with the Ur as first class mail in an envelope addressed to: Commissioner for Pate on October 24, 2007 / Cheri Clinkenberger	ents, P.O. Box 1450, Alexandria, VA 22313-1450					
Clintenbeard	Typed or printed name					
Signature	05/01/03					

107cc/ 00/ HARRALL 00000055 022666 510.00 03 15.00 DA 31 rt:2253



## **FEE TRANSMITTAL FOR FY 2008**

(Effective on 9/30/2007. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

			TOTAL AMOUNT OF PAYMENT (\$) 510.00
Complete if Kn			
Application No		10/090	
Filing Date		3/1/02	
First Named In			<u>III</u>
Examiner Nam	e		n, F.
Art Unit		2623	
Attorney Dock	et No	80398.	<u>P515</u>
	Applica	ant claim	s small entity status. See 37 CFR 1.27.
METHOD OF	PAYMEN	JT (chec	:k all that apply)
Check	(	Credit	: Card Money Order None Other (please identify)
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Depos	sit Accou		
			t Number : <u>02-2666</u>
V T- 0	Deposit	Accoun	( Name:
			ed to do the following with respect to the above-identified Deposit Account:
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	Charge	any additi	ional fee(s) or underpayment of fee(s) during the pendency of this application.
			payments.
$\frac{\overline{x}}{x}$			r future reply that requires a petition for extension of time should be treated as
			appropriate petition for extension of time and all required fees should be charged.
	шоогро	ruung un	appropriate potition for extension of time and an required toos should be only god.
Warning: Informa	ation on th	is form m	ay become public. Credit card information should not be included on this form.
			authorization on PTO-2038.
FEE CALCUL	ATION		
1. BASIC FIL	ING, SEA	ARCH, A	AND EXAMINATION FEES
Large Entity	Small E		
Fee Fee	Fee	Fee	<u> </u>
Code (\$)	Code	(\$)	Fees Paid (\$)
1011 310	2011	155	Utility application filing fee
1111 510	2111	255	Utility search fee 1,030/515
1311 210	2311	105	Utility examination fee
			<b>}</b>
1012 210	2012	105	Design application filing fee
1112 100	2112	50	Design search fee 440/220
1312 130	2312	65	Design examination fee
1013 210	2013	105	Plant filing fee
1113 310	2113	155	Plant search fee 680/340
1313 160	2313	80	Plant examination fee
100	_0.0	30	
1004 810	2004	405	Reissue filing fee
1114 510	2114	255	Reissue search fee 1,940/970
1314 620	2314	310	Reissue examination fee
1005 210	2005	105	Provisional application filing for
1000 210	2000	103	Provisional application filing fee
			SUBTOTAL (1) \$0.00
			30BTOTAL(1) \$0.00

#### 2. EXCESS CLAIM FEES

F	ee	D	es	cr	ip	tior	1
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Large i	entity	<u>əmaii i</u>	<u>enuty</u>	
Fee	Fee	Fee	Fee	
Code	(\$)	Code	(\$)	Fee Description
1202	50	2202	25	Each claim over 20
1201	210	2201	105	Each independent claim over 3
1203	370	2203	185	Multiple dependent claims, if not paid
1204	210	2204	105	Reissue: each claim over 20 and more than in the original patent
1205	50	2205	25	Reissue: each independent claim more than in the original patent
	Fee Code 1202 1201 1203 1204	Code (\$) 1202 50 1201 210 1203 370 1204 210	Fee         Fee         Fee           Code         (\$)         Code           1202         50         2202           1201         210         2201           1203         370         2203           1204         210         2204	Fee         Fee         Fee         Fee           Code         (\$)         Code         (\$)           1202         50         2202         25           1201         210         2201         105           1203         370         2203         185           1204         210         2204         105

	Extra Claims	<u>Fee</u>	Fees Paid (\$)
Total Claims – 20 or HP = HP = highest number of total claims paid for, if		х :	<b>=</b>
Independent Claims 3 or HP HP = highest number of independent claims pa Multiple Dependent Claims		x :	= =
		SUBTOTAL (2)	\$ 0.00

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 C.F.R. 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra S		Number of each additoinal 50 or fraction thereof		Fee from <u>below</u>	Fees paid (\$)
	<b>- 100 =</b>	/ 50 =	(round up to whole number)	х	\$	

Large	Entity	Small I	Entity	
Fee	Fee	Fee	Fee	Fee Description: Application size fee for each additional group of 50 sheets
Code	(\$)	Code	(\$)	beyond initial 100 sheets (count spec & drawings except sequences & program listings):
1081	260	2081	130	Utility
1082	260	2082	130	Design
1083	260	2083	130	Plant
1084	260	2084	130	Reissue

SUBTOTAL (3) \$ <u>0.00</u>

#### FEE CALCULATION (continued) 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) **Small Entity** Fee Fee Fee Fee Code (\$) Code (\$) **Fee Description** Surcharge - late filing fee or oath 1051 130 2051 65 Surcharge - late provisional filing fee or cover sheet 1052 50 2052 25 130 Non-English specification 1053 1053 130 2.520 2,520 For filing a request for ex parte reexamination 1812 1812 1813 8,800 1813 8,800 Request for inter parties reexamination 1804 920\* 920\* 1804 Requesting publication of SIR prior to Examiner action 1,840\* 1805 1805 1,840\* Requesting publication of SIR after Examiner action 1251 2251 120 60 Extension for reply within first month 1252 460 2252 230 Extension for reply within second month 525 1253 1,050 2253 Extension for reply within third month 1254 1,640 2254 820 Extension for reply within fourth month 2,230 1255 2255 1,115 Extension for reply within fifth month 255 1401 510 2401 Notice of Appeal 510.00 1402 2402 255 510 Filing a brief in support of an appeal 1403 1.030 2403 515 Request for oral hearing 1451 1,510 1451 1,510 Petition to institute a public use proceeding 1452 510 2452 255 Petition to revive - unavoidable 1453 1,540 2453 770 Petition to revive - unintentional 1501 1.440 2501 720 Utility issue fee (or reissue) 1502 820 2502 410 Design issue fee 1503 1,130 2503 565 Plant issue fee 1462 400 1462 400 Petitions to the Commissioner (CFR 1.17(f) Group I) 1463 200 1463 200 Petitions to the Commissioner (CFR 1.17(g) Group II) 1464 130 1464 130 Petitions to the Commissioner (CFR 1.17(h) Group III) 1807 50 1807 50 Processing fee under 37 CFR 1.17(g) 1806 180 1806 180 **Submission of Information Disclosure Stmt** 8021 40 8021 40 Recording each patent assignment per property (times number of properties) 1809 810 2809 405 For filing a submission after final rejection (see 37 CFR 1.129(a)) 1814 130 2814 65 **Statutory Disclaimer** 1810 810 2810 405 For each additional invention to be examined (see 37 CFR 1.129(b)) 405 1801 810 2801 Request for Continued Examination (RCE) 1802 900 1802 900 Request for expedited examination of a design application 300 300 1504 1504 Publication fee for early, voluntary, or normal pub. 1505 300 1505 300 Publication fee for republication 1803 130 1803 130 Request for voluntary publication or republication 1808 130 1808 130 Processing fee under 37 CFR 1.17(i) (except provisionals) 1454 1.410 1454 1.410 Acceptance of unintentionally delayed claim for priority Other fee (specify) Other fee (specify) SUBTOTAL (4) \$510.00 \*Reduced by Basic Filing Fee Paid **SUBMITTED BY:** Typed or Printed Name: Sheryl Sue Holloway Signature: 37,850 Reg. Number: Telephone Number: <u>408-720-8300</u>